



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

REPLY TO  
ATTENTION OF

Regulatory Division  
North Permits Branch  
Atlantic Permits Section

JUN 24 2009

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2009-2077 (SP-PRJ)

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: Clay County Parks and Recreation Department  
3557 Highway 17  
Green Cove Springs, Florida 32043

WATERWAY & LOCATION: The proposed project is located at the end of Thunderbolt Road off of Old Hard Road and Town Center Boulevard, in Section 8, Township 5 South, Range 5 East, Fleming Island, Clay County, Florida.

Directions to the site are as follows: From Jacksonville take US17/Roosevelt Boulevard South. Turn right on County Road 220/Doctors Inlet Road. Turn left on Canova Road. Turn left on Old Hard Road. Turn right on Town Center Boulevard. Turn Right on Thunderbolt Road. The proposed project is located on the west side of Old Hard Road at the intersection of Thunderbolt Road and Old Hard Road.

LATITUDE & LONGITUDE: Latitude 30.0814° North  
Longitude 81.7272° West

PROJECT PURPOSE:

Basic: To construct an athletic complex.

Overall: To construct an athletic complex to serve Fleming Island Plantation and the surrounding area. The proposed athletic complex would include baseball fields, playgrounds, picnic pavilions, football/lacrosse fields, various

fitness/walking trails, and associated infrastructure including parking, internal access roads, and stormwater treatment facilities.

PROPOSED WORK: The applicant proposes to impact 2.65 acres of waters of the United States in association with the construction of an athletic complex to serve Fleming Island Plantation and the surrounding area. The proposed athletic complex would include baseball fields, playgrounds, picnic pavilions, football/lacrosse fields, various fitness/walking trails, and associated infrastructure including parking, internal access roads, and stormwater treatment facilities.

Avoidance and Minimization Information: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

Efforts were undertaken to position large-footprint facilities in uplands or lower quality wetlands wherever possible. The two impact areas proposed in Wetland 1 are positioned in the lower quality peripheral portions of the wetland. Stormwater management ponds have been positioned as optimally as possible along the outer edges of the site to allow for contiguity of the athletic facilities.

Compensatory Mitigation: The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

Mitigation on the project site is limited to 0.98 acre of upland buffer preservation adjacent to wetlands which will not be impacted by the proposed project. The remaining mitigation is proposed to be offset via the preservation of 14.95 acres of wetlands and 9.27 acres of uplands within a 642-acre mitigation site, owned by Clay County, which was formerly part of Cecil Field Naval Air Station.

EXISTING CONDITIONS: The proposed project is located on 45 acres of land in northern Clay County, west of US17/Roosevelt Boulevard, in the northwestern portion of the Fleming Island Plantation development. Black Creek lies southwest of the site. Swimming Pen Creek and Doctors Lake are located northwest of the project site. The site consists of undeveloped, mixed forested uplands and wetlands associated with the Black Creek and Swimming Pen Creek watersheds. The on-site uplands, consisting of 35.20 acres, are dominated by a mixture of hardwood and coniferous species. The canopy layer contains loblolly pine,



slash pine, laurel oak, live oak, and water oak. The subcanopy and ground cover in the upland area is dominated by juvenile canopy species along with saw palmetto, gallberry, highbush blueberry, and bracken fern. The project site also includes 2.94 acres of existing electrical power line easement located along the northeastern site boundary. The easement contains overhead electrical power lines and is regularly maintained and cleared of vegetation in order to provide access for power line maintenance. Sparse vegetation in the easement consists only of upland grasses. In the central portion of the project site there are three ditches, that total 0.24 acre. The northwest corner of the project site contains a 0.31 acre cypress wetland. This area is dominated by cypress in the canopy and subcanopy. Other canopy species include red maple and tupelo. The understory is dominated by fetterbush, Virginia chain fern, royal fern, netted chain fern, hatpin, and pitcher plant. The cypress wetland is surrounded by undeveloped forested uplands and contiguous forested wetlands. The remainder of on-site wetlands, 230.65 acres, are dominated by a mixture of hardwood and coniferous species. The canopy vegetation in this area includes loblolly pine, slash pine, tupelo, cypress, red maple, laurel oak, and water oak. The understory is dominated by fetterbush, Virginia chain fern, royal fern, netted chain fern, hatpin, pitcher plant, and highbush blueberry. The mixed forested wetlands are part of a contiguous system.

ENDANGERED SPECIES: The U.S. Army Corps of Engineers has determined the proposal would have no effect on any listed threatened or endangered species or designated critical habitat.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact Paula R. Johnson at the letterhead address, by electronic mail at paula.r.johnson@usace.army.mil, by fax at 904-232-1904, or by telephone at 904-232-2503.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.



**IMPACT ON NATURAL RESOURCES:** Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with US Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

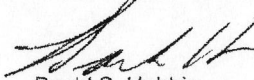
**IMPACT ON CULTURAL RESOURCES:** Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently, unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

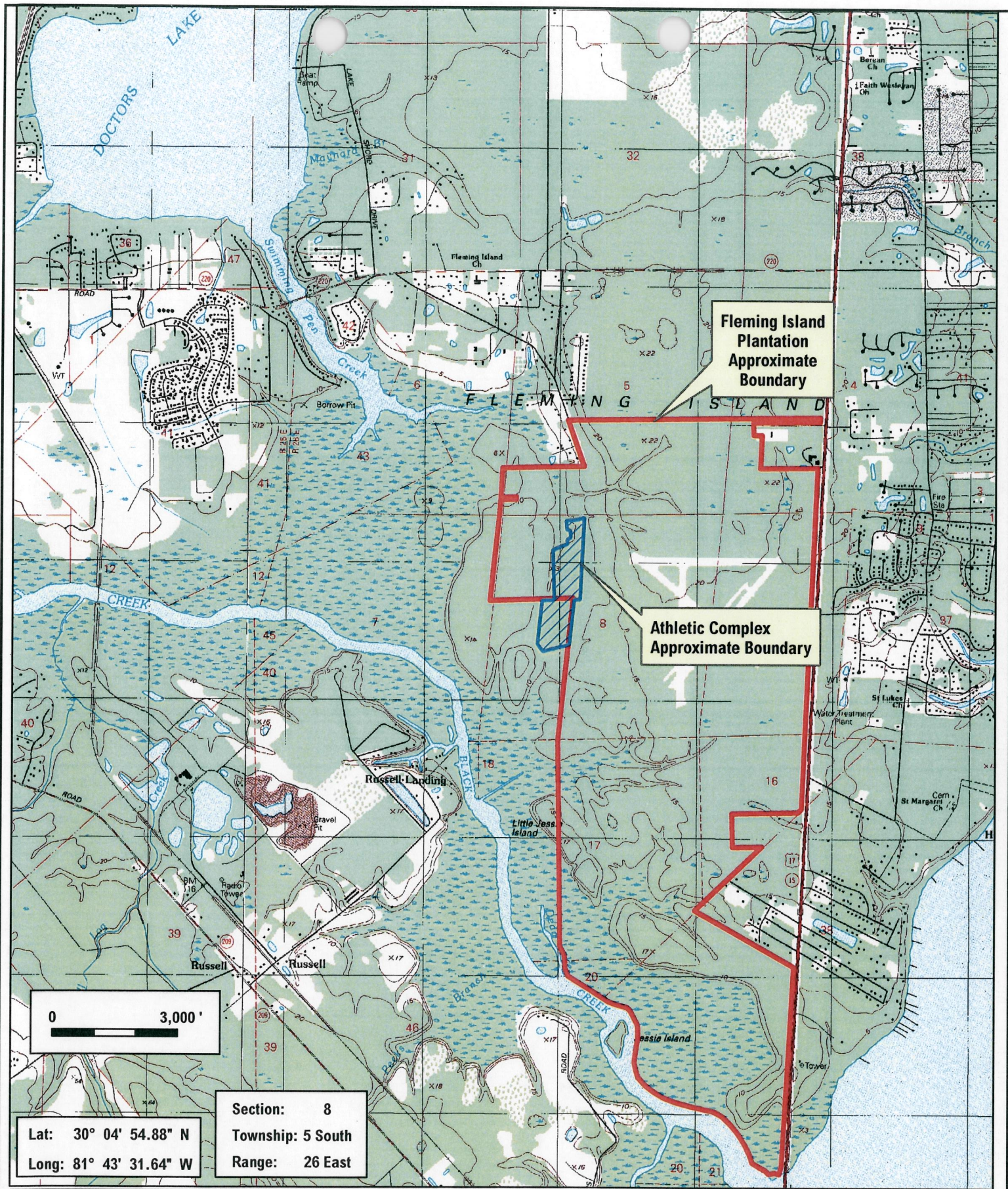
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

  
David S. Hobbie  
Regulatory Division





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DATE June 24, 2009

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## Fleming Island Athletic Complex Location Map

Source: USGS 7.5' Fleming Island, FL  
Topographic Quadrangle

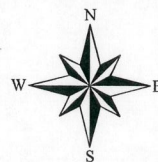
By: JK

Project No.: 08112

Exhibit No.: 1

Date: 3-23-09

Rev. Date:

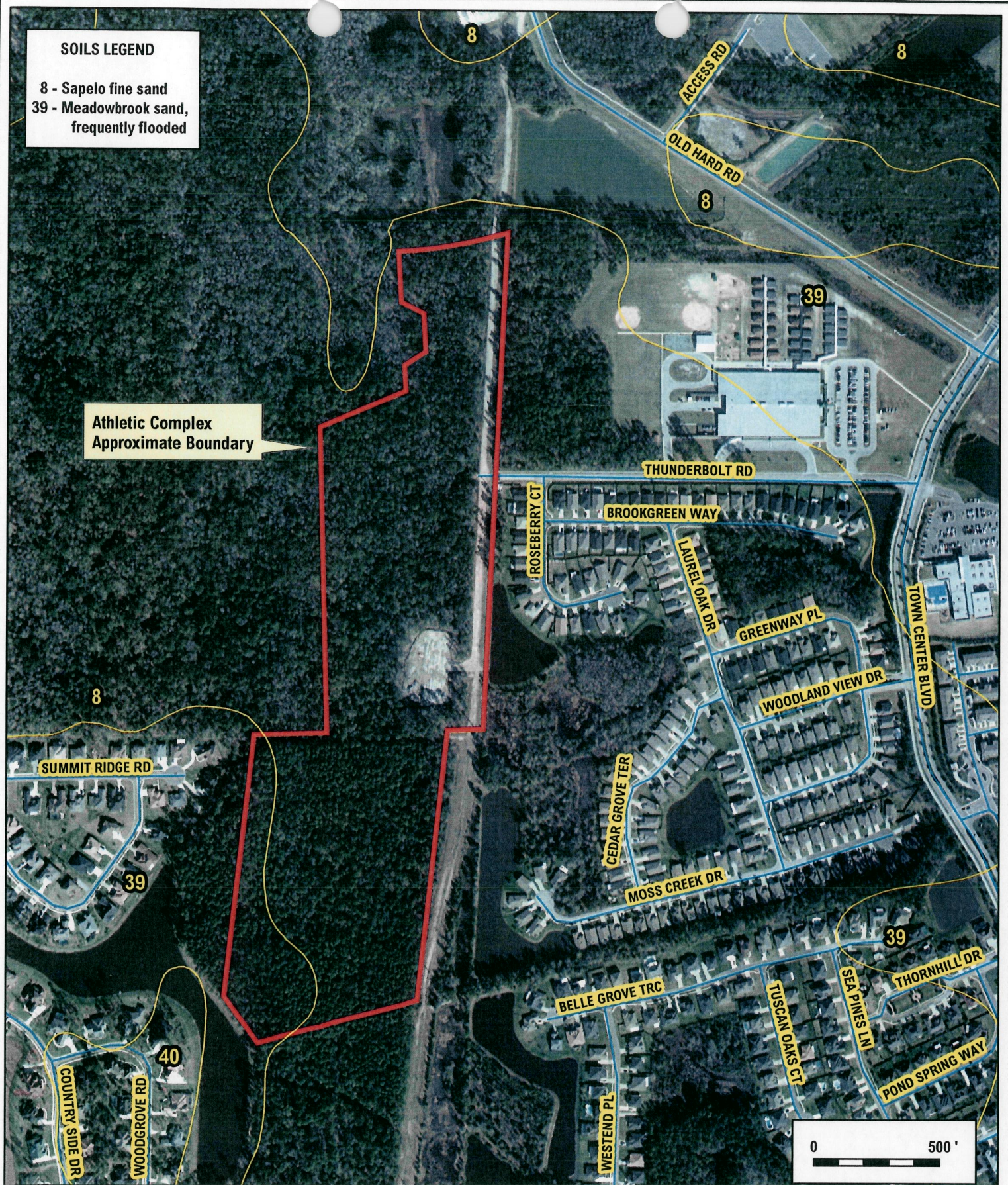




# SOILS LEGEND

- 8 - Sapelo fine sand
- 39 - Meadowbrook sand, frequently flooded

Athletic Complex  
Approximate Boundary



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## Fleming Island Athletic Complex Soils Map

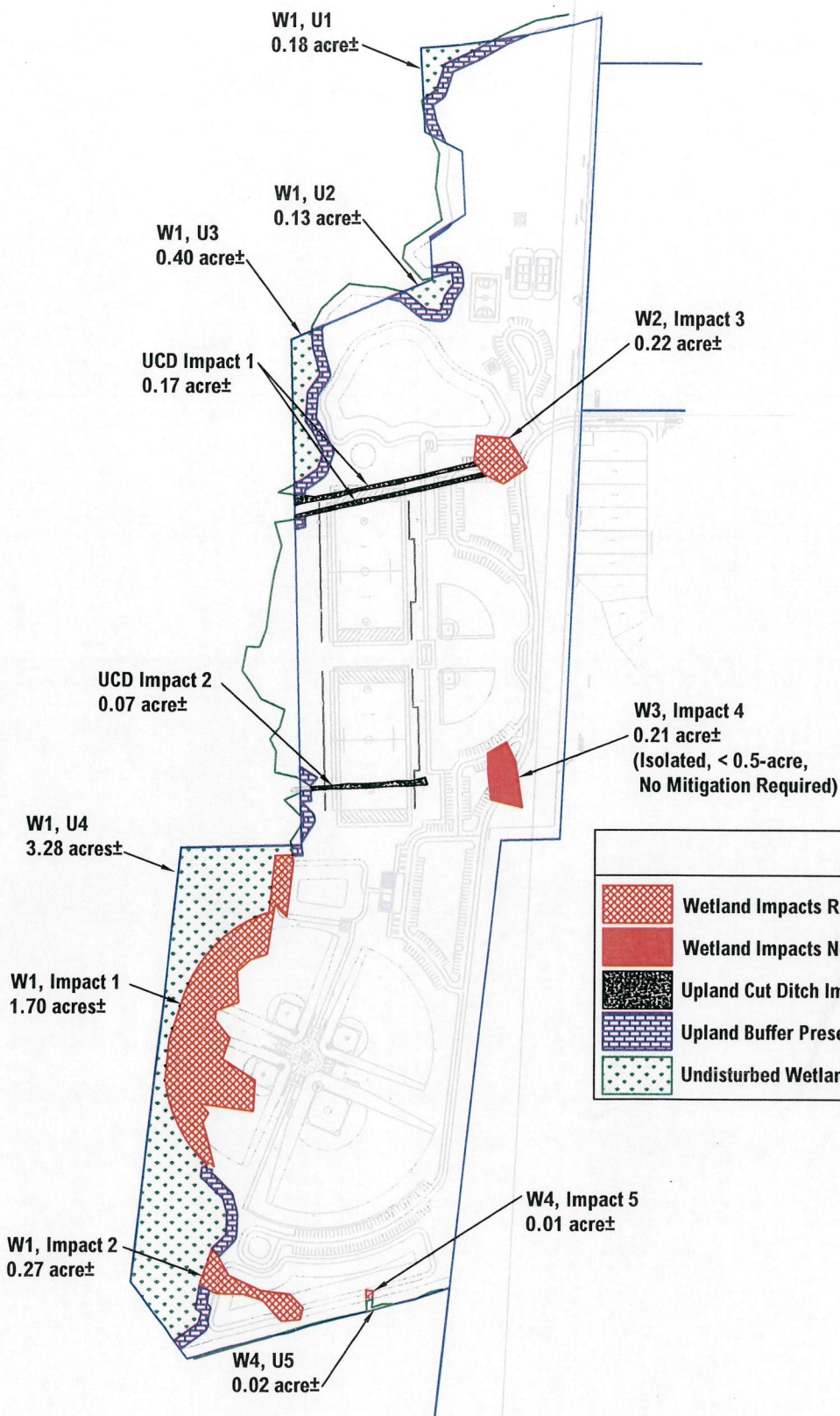
Source: USDA-NRCS,  
AerialsExpress (2007 aerial)

By: JK

Project No.: 08112  
Exhibit No.: 2  
Date: 3-23-09  
Rev. Date:







Scale: 1"=400'

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## Clay County Athletic Complex SJRWMD Wetland Impact Map

Source: Prosser Hallock  
3/18/09

File: ERS\_impact\_3-20-09

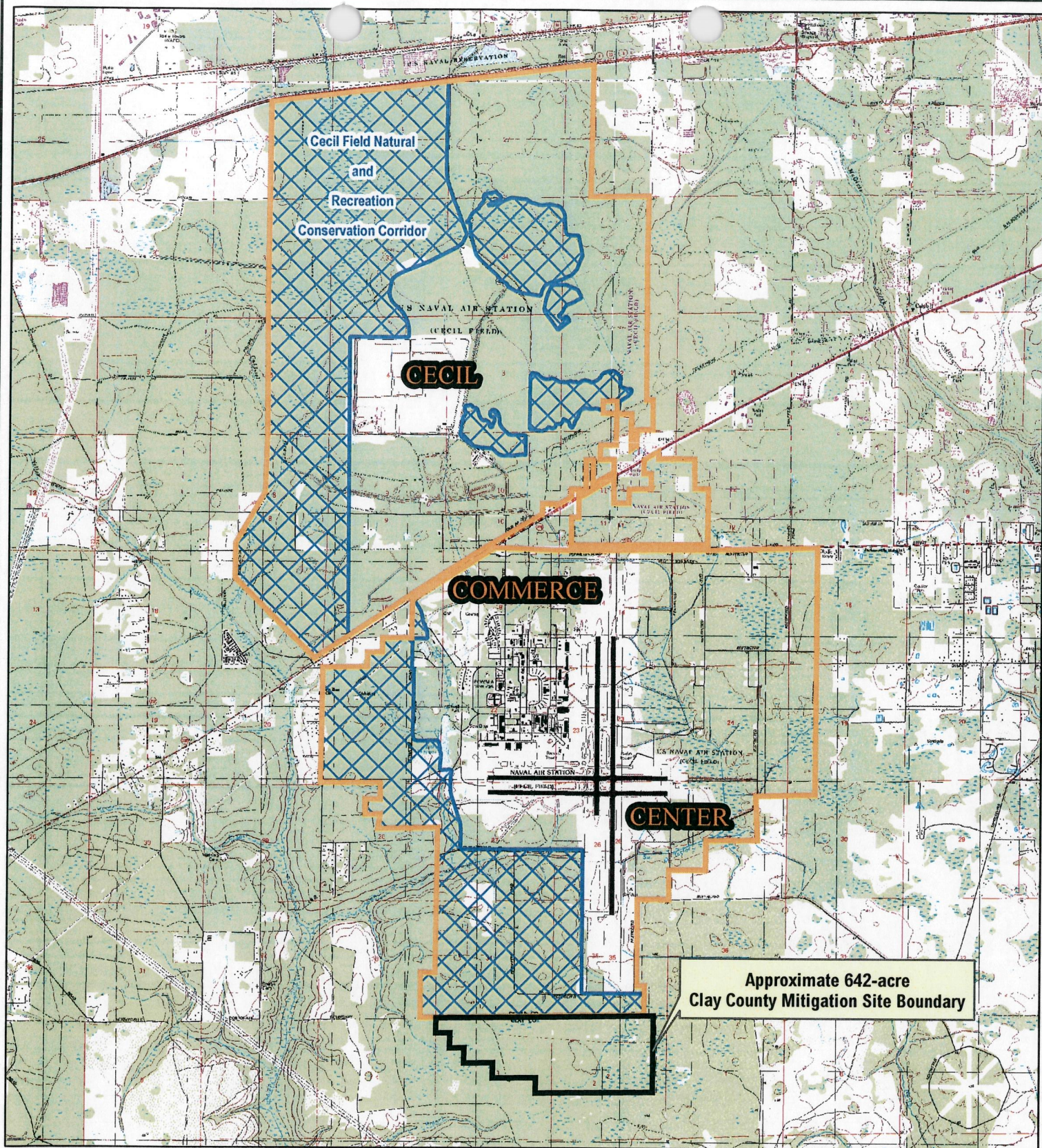
Project No.: 08112

Date: 3-20-09 Rev.:

By: JK

Exhibit No.: 4





Section: 2 & 3

Township: 4 S

Range: 24 E

Lat: 30° 11' 1.16" N

Long: 81° 52' 47.96" W

0 6,000'

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# Clay County Cecil Field Mitigation Area Location Map

Source: USGS 7.5' Fiftone, Jacksonville Heights, Baldwin & Marietta, FL Topographic Quadrangles

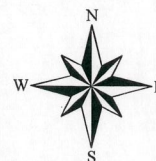
By: ML

Project No.: 08112

Exhibit No.: 6

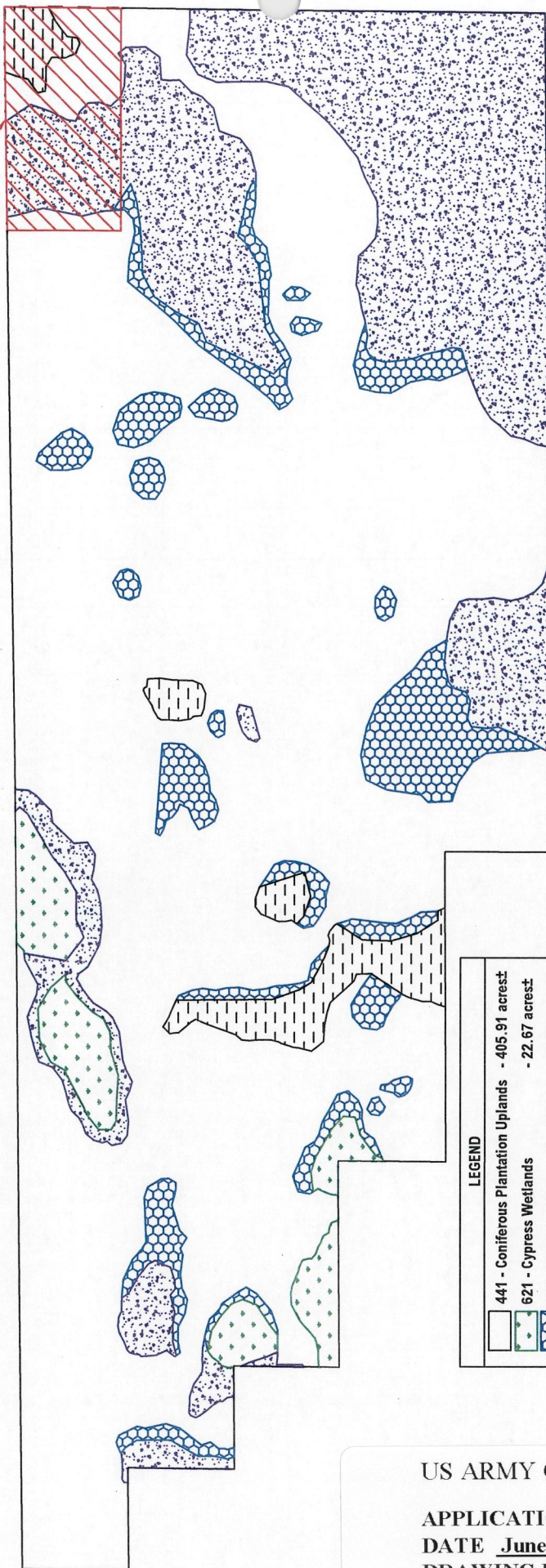
Date: 03-23-09

Rev. Date:





Fleming Island Athletic Complex  
SJRWMD Mitigation - 24.22 acres



LEGEND

441 - Coniferous Plantation Uplands	- 405.91 acres
621 - Cypress Wetlands	- 22.67 acres
625 - Hydric Coniferous Plantation	- 46.40 acres
630 - Wetland Forested Mixed	- 146.35 acres
646 - Mixed Scrub/Shrub Wetlands	- 20.35 acres

NOTES: (1) FLUCFCS boundaries are approximate and are intended for preliminary planning purposes only.

(2) Wetland/upland boundaries are approximate, based only on aerial interpretation and listed sources, and are subject to change upon formal wetland delineation and agency verification.  
No field work was conducted as part of this assessment.



Scale: 1"=1000'

# Clay County Cecil Field Mitigation Area SJRWMD Mitigation Exhibit

Environmental  
Resource  
Solutions Inc.  
1597 The Greens Way  
Suite 200  
Jacksonville Beach, FL 32250



File:  
X:\GIS Projects\ULK Cecil  
Current\ClayCoCorridor\  
Clay\_County\_Cecil\_Mitigation\_3-26-09

Project No.: 08112/99011

Date: 3-26-09 Rev:

By: JK Exhibit No: 9

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APPLICATION# SAJ-2009-2077-PRJ

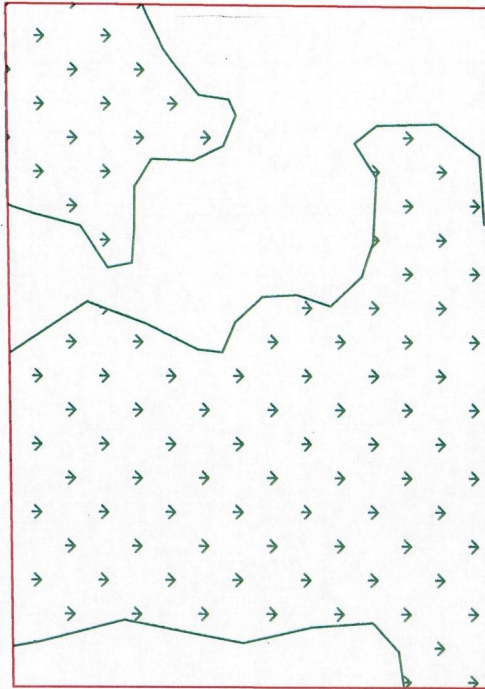
DATE June 24, 2009

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# Fleming Island Athletic Complex SJRWMD Mitigation - 24.22 acres±

14.95 acres wetlands  
9.27 acres uplands



Scale: 1"=400'

- NOTES:**
- (1) FLUCFS boundaries are approximate and are intended for preliminary planning purposes only.
  - (2) Wetland/upland boundaries are approximate, based only on aerial interpretation and listed sources, and are subject to change upon formal wetland delineation and agency verification. No field work was conducted as part of this assessment.

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## Clay County Cecil Field Mitigation Area SJRWMD Mitigation Detail Map

File:  
X:\GIS Projects\JLK Cecil  
Current\ClayCoCorridor\  
Clay\_County\_Cecil\_Mitigation\_3-26-09

Project No.: 08112/99011  
Date: 3-26-09 Rev:  
By: JK Exhibit No: 10

Environmental  
Resource  
Solutions Inc.  
1597 The Greens Way  
Suite 200  
Jacksonville Beach, FL 32250

